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UTILITY/DESIGN PATENT  
Docket No. P52.2-7161

## DECLARATION

As a below-named inventor, I(we) hereby declare that:

### TYPE OF DECLARATION

This declaration is of the following type:

- ☒ original
- ☐ design
- ☐ supplemental
- ☐ national stage of PCT
- ☐ divisional
- ☐ continuation
- ☐ continuation-in-part (CIP)

### INVENTORSHIP DECLARATION

My residence, post office address, and citizenship are as stated below next to my name;

I verily believe I am the original, first and sole inventor (*if only one name is listed below*) or an original, first and joint inventor (*if plural names are listed below*) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

### COMPOSITION FOR CREATING VASCULAR OCCLUSIONS

the specification of which:

- a) ☐ is being filed concurrently herewith
- b) ☒ was filed on September 11, 1998 and assigned Serial No. 09/151,621
- c) ☐ was filed as PCT International Application No. \_\_\_\_\_ filed on \_\_\_\_\_ and amended under PCT Article 19 on \_\_\_\_\_.

### ACKNOWLEDGMENT OF REVIEW OF PAPERS AND DUTY OF CANDOR

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations §1.56 including information occurring between the filing date of any prior application of which the present application is a continuation-in-part.

- ☐ In compliance with this duty there is attached an Information Disclosure Statement.  
37 CFR 1.97.

### PRIORITY CLAIM

I hereby claim foreign priority benefits under Title 35, United States Code, §119(a)-(d), of any foreign application(s) for patent or inventor's certificate or of any PCT international application(s) designating at least one country other than the United States of America listed below and have also identified below any foreign application for patent or inventor's certificate or any PCT international application(s) designating at least one country other than the United States of America filed by me having the same subject matter having a filing date before that of the application on which priority is claimed.

- a) ☒ no such applications have been filed.  
 b) ☐ such applications have been filed as follows:

COUNTRY	APPLICATION NUMBER	DATE OF FILING (day, month, year)	PRIORITY CLAIMED UNDER 37 USC 119
			<input type="checkbox"/> YES <input type="checkbox"/> NO
			<input type="checkbox"/> YES <input type="checkbox"/> NO
			<input type="checkbox"/> YES <input type="checkbox"/> NO
			<input type="checkbox"/> YES <input type="checkbox"/> NO

I hereby claim the benefit under Title 35 United States Code, §119(e) of any United States provisional application identified below.

- a) ☐ no such applications have been filed.  
 b) ☒ such applications have been filed as follows:

U.S. APPLICATIONS	
SERIAL NUMBER	U.S. FILING DATE
1. 60/058510	11 September 1997
2.	

#### CLAIM FOR BENEFIT OF EARLIER U.S./PCT APPLICATION(S) UNDER 35 U.S.C. §120

I hereby claim the benefit under Title 35, United States Code, §120 of any United States applications(s) or PCT international applications(s) designating the United States of America that is/are listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in that/those prior applications(s) in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56 which occurred between the filing date of the prior applications(s) and the national or PCT international filing date of this application.

- a) ☒ no such applications have been filed.  
 b) ☐ such applications have been filed as follows:

U.S. APPLICATIONS	
SERIAL NUMBER	U.S. FILING DATE
1.	
2.	
PCT APPLICATIONS DESIGNATING THE U.S.	
PCT APPLICATION NO.	PCT FILING DATE
3.	

I hereby declare that all statements made herein of my knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.



Telephone calls and correspondence should be directed to: Scott O. Vidas, VIDAS,  
ARRETT & STEINKRAUS, P.A., Suite 2000, 6109 Blue Circle Drive, Minneapolis, MN 55343-9131,  
Telephone: (612) 563-3000, Facsimile: (612) 563-1901.

**First Inventor**

Full name: Robert E. Krall  
Inventor's signature: *Robert E. Krall*  
Date: \_\_\_\_\_  
Citizenship: United States  
Post office Address: 2728 Via Dieguenos  
Alpine, California 91901

Residence:  
(If different than above)

**Third Inventor**

Full name: Kimberly Knox  
Inventor's signature: *K-K*  
Date: \_\_\_\_\_  
Citizenship: United States  
Post office Address: 4444 Tapa Tapa Drive  
La Mesa, California 91941-7160

Residence:  
(If different than above)

**Fifth Inventor**

Full name: \_\_\_\_\_  
Inventor's signature: \_\_\_\_\_  
Date: \_\_\_\_\_  
Citizenship: \_\_\_\_\_  
Post office Address: \_\_\_\_\_  
Residence:  
(If different than above)

**Second Inventor**

Full name: Charles W. Kärber  
Inventor's signature: *CKärber*  
Date: \_\_\_\_\_  
Citizenship: United States  
Post office Address: 4444 Tapa Tapa Drive,  
La Mesa, California 91941-7160

Residence:  
(If different than above)

**Fourth Inventor**

Full name: \_\_\_\_\_  
Inventor's signature: \_\_\_\_\_  
Date: \_\_\_\_\_  
Citizenship: \_\_\_\_\_  
Post office Address: \_\_\_\_\_  
Residence:  
(If different than above)

**Sixth Inventor**

Full name: \_\_\_\_\_  
Inventor's signature: \_\_\_\_\_  
Date: \_\_\_\_\_  
Citizenship: \_\_\_\_\_  
Post office Address: \_\_\_\_\_  
Residence:  
(If different than above)



## UTILITY/DESIGN PATENT

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor(s):	Robert E. Krell et al
Title:	COMPOSITION FOR CREATING VASCULAR OCCLUSIONS
Filed:	<input type="checkbox"/> concurrently herewith <input checked="" type="checkbox"/> on September 11, 1998, and assigned Serial No. 09/131,621

Assistant Commissioner for Patents  
Washington, DC 20231

Docket No: P52.2-7161

## POWER OF ATTORNEY FROM ASSIGNEE

As assignee of record of the entire interest of the above identified patent application, Prohold Technologies, Inc. hereby appoints the following attorneys to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith:

Scott Q. Vidas	Reg. No. 30,812
Oliver F. Arrett	Reg. No. 22,117
Walter J. Steinkraus	Reg. No. 29,592
Richard A. Arrett	Reg. No. 33,133
Robert O. Vidas	Reg. No. 20,164
Lenniele M. Brennan	Reg. No. 35,832
Jose H. Arrett	Reg. No. 33,355
William E. Anderson, II	Reg. No. 37,766
Jonathan Grad	Reg. No. P-41,795

all of Vidas, Arrett & Steinkraus, P.A., Suite 2000, 6109 Blue Circle Drive, Minneapolis, MN 55343-9131, Telephone: (612) 563-3000, Facsimile: (612) 563-3001, and hereby authorizes them to act and rely on instructions from, and to communicate directly with, the firm or person which sent this case to Vidas, Arrett & Steinkraus, P.A., unless or until it instructs Vidas, Arrett & Steinkraus P.A., in writing to the contrary.

Dated this 12th day of December, 1998.

(Company Name)

Prohold Technologies, Inc.

(Signature)

By:

(Typed name)

Charles W. Kerber

(Title)

Its: President



## UTILITY/DESIGN PATENT

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor(s):	Robert E. Krall; Charles W. Kerber; Kimberly Knox
Title:	COMPOSITION FOR CREATING VASCULAR OCCLUSIONS
Filed:	<input type="checkbox"/> concurrently herewith <input checked="" type="checkbox"/> on September 11, 1998 and assigned Serial No. 09/131,621

Assistant Commissioner for Patents  
Washington, DC 20231

Docket No.: PSJ.2-7161

## VERIFIED STATEMENT CLAIMING SMALL ENTITY STATUS (ASSIGNEE FORM)

I, Charles W. Kerber, President of Prohold Technologies, Inc. which has its principal place of business at 1444 Pioneer Way, Suite 12, El Cajon, California 92020 (hereinafter "the Company"), hereby state that:

1. I am empowered to act on behalf of the Company in making the following statements to establish status as a small entity under 37 C.F.R. §1.9.
2. By assignment of all right, title and interest in and to the invention identified above, the Company is the owner of the subject matter of the patent application identified above.
3. The Company has not assigned, granted, conveyed or licensed any rights in and to the invention, and is not under any obligation, contract or law to assign, grant, convey or license any rights to said invention to any other party.
4. The Company is a business concern which presently employs less than 500 persons.
5. Based upon the above facts, it is believed that the Company is a Small Business for paying reduced fees as set forth in 37 C.F.R. §1.9(a).
6. The Company acknowledges its duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate (37 C.F.R. §1.28(b)).
7. The Company hereby declares that all statements made herein of its own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

Dated this 12th day of December, 1998.

(Company Name)

Prohold Technologies, Inc.

(Signature)

By:

(Typed name)

Charles W. Kerber

(Title)

Its: President